

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF GEORGIA  
SAVANNAH DIVISION**

JEFFREY TONDALO,

Plaintiff,

v.

PRO DISPOSAL, LLC; JOHN GLOVER, JR.;  
and EMPLOYERS MUTUAL  
CASUALTYCOMPANY,

Defendants.

CIVIL ACTION NO.: 4:22-cv-33

**ORDER**

Before the Court is a “Stipulation of Dismissal With Prejudice,” signed solely by counsel for Plaintiff, wherein Plaintiff states that “the parties to this action stipulate to the dismissal of this case with prejudice.” (Doc. 29.) Because the filing was not signed by all parties who have appeared and because Defendants had filed an Answer prior to dismissal, (see docs. 1-2, 14), the Court construed the filing as a motion, pursuant to Federal Rule of Civil Procedure 41(a)(2), for dismissal “at the plaintiff’s request . . . by court order, on terms that the court considers proper,” (doc. 30), and the Court has refrained from ruling on the motion until now, following the expiration of the deadline for responses. Plaintiff’s filing did not propose or request any specific terms (other than that the dismissal be with prejudice), and Defendants have not filed any sort of response opposing dismissal with prejudice or requesting any terms for the dismissal. Accordingly, the

Court **GRANTS** the motion, (doc. 29), **DISMISSES** the action **WITH PREJUDICE**, and **DIRECTS** the Clerk to **CLOSE** the case.

**SO ORDERED**, this 17th day of July, 2023.



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R. STAN BAKER  
UNITED STATES DISTRICT JUDGE  
SOUTHERN DISTRICT OF GEORGIA